THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.12918 OF 2006

ORAL ORDER:

The A.P. Transco is the petitioner in this writ petition, which is filed questioning the proceedings dated 31.1.2006 issued by the respondent as well as the consequential certificate issued under Section 8B of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952, dated 3.4.2006.

I have heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondent.

Though various contentions have been raised on merits, it is to be noted that under Section 7 I of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (for short "the Act"), an appeal lies against the impugned order. Therefore, without exhausting the said alternative remedy, the petitioner cannot maintain this writ petition.

In the circumstances, without expressing any opinion on merits, the writ petition is disposed of granting liberty to the petitioner to prefer an appeal under Section 7 I of the Act, within a period of four weeks from today, against the impugned order. It is further made clear that the orders impugned shall not be given effect to, provided 50% of the amount demanded is deposed, within a period of four weeks from today.

The writ petition is accordingly, disposed of. No costs.

(G. ROHINI, J.)

27th June, 2006.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.12918 OF 2006

26th June, 2006.

Between:

A.P. Transco,
Represented by its Executive Engineer TLC
Stores Division, Erragadda, Hyderabad. .. Petitioner.

And

Employees Provident Fund Organisation,
Represented by its Assistant Provident fund
Commissioner, Sub-Regional Office, Bepujinagar,
Kukatpally, Hyderabad. .. Respondent.